

17-23-20 Final plats of local entity boundary actions -- County surveyor approval of final plat -- Plat requirements.

- (1) As used in this section:
 - (a) "Approving authority" means the person or body required under applicable statute to submit to the lieutenant governor a notice of an impending boundary action, as defined in Section 67-1a-6.5.
 - (b)
 - (i) "Boundary action" means any action that establishes, modifies, or eliminates the boundary of a local entity, including incorporation or creation, annexation, withdrawal or disconnection, consolidation, division, boundary adjustment, and dissolution.
 - (ii) "Boundary action" does not include the determination of the true location of a county boundary under Section 17-50-105.
 - (c) "Final local entity plat" means a plat that meets the requirements of Subsection (4).
 - (d) "Local entity" has the same meaning as defined in Section 67-1a-6.5.
- (2) Upon request and in consultation with the county recorder, the county surveyor of each county in which property depicted on a plat is located shall determine whether the plat is a final local entity plat.
- (3)
 - (a) If a county surveyor determines that a plat meets the requirements of Subsection (4), the county surveyor shall approve the plat as a final local entity plat.
 - (b) The county surveyor shall indicate the approval of a plat as a final local entity plat on the face of the final local entity plat.
- (4) A plat may not be approved as a final local entity plat unless the plat:
 - (a) contains a graphical illustration depicting:
 - (i) in the case of a proposed creation or incorporation of a local entity, the boundary of the proposed local entity;
 - (ii) in the case of a proposed annexation of an area into an existing local entity, the boundary of the area proposed to be annexed;
 - (iii) in the case of a proposed adjustment of a boundary between local entities, the boundary of the area that the boundary adjustment proposes to move from inside the boundary of one local entity to inside the boundary of another local entity;
 - (iv) in the case of a proposed withdrawal or disconnection of an area from a local entity, the boundary of the area that is proposed to be withdrawn or disconnected;
 - (v) in the case of a proposed consolidation of multiple local entities, the boundary of the proposed consolidated local entity; and
 - (vi) in the case of a proposed division of a local entity into multiple local entities, the boundary of each new local entity created by the proposed division;
 - (b) is created on reproducible material that is:
 - (i) permanent in nature; and
 - (ii) the size and type specified by the county recorder;
 - (c) is drawn to a scale so that all data are legible;
 - (d) contains complete and accurate boundary information, including, as appropriate, calls along existing boundary lines, sufficient to enable:
 - (i) the county surveyor to establish the boundary on the ground, in the event of a dispute about the accurate location of the boundary; and
 - (ii) the county recorder to identify, for tax purposes, each tract or parcel included within the boundary;

- (e) depicts a name for the plat, approved by the county recorder, that is sufficiently unique to distinguish the plat from all other recorded plats in the county;
 - (f) contains:
 - (i) the name of the local entity whose boundary is depicted on the plat;
 - (ii) the name of each county within which any property depicted on the plat is located;
 - (iii) the date that the plat was prepared;
 - (iv) a north arrow and legend;
 - (v) a signature block for:
 - (A) the signatures of:
 - (I) the professional land surveyor who prepared the plat; and
 - (II) the local entity's approving authority; and
 - (B) the approval of the county surveyor; and
 - (vi) a three-inch by three-inch block in the lower right hand corner for the county recorder's use when recording the plat;
 - (g) has been certified and signed by a professional land surveyor licensed under Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act; and
 - (h) has been reviewed and signed by the approving authority of the local entity whose boundary is depicted on the plat.
- (5) The county surveyor may charge and collect a reasonable fee for the costs associated with:
- (a) the process of determining whether a plat is a final local entity plat; and
 - (b) the approval of a plat as a final local entity plat.

Enacted by Chapter 350, 2009 General Session